

## SENATE BILL NO. 180

INTRODUCED BY R. ERICKSON

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE BOARD OF ENVIRONMENTAL REVIEW TO ADOPT CERTAIN VEHICLE EMISSION STANDARDS UNDER THE FEDERAL CLEAN AIR ACT; AMENDING SECTION 75-2-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 75-2-203, MCA, is amended to read:

**"75-2-203. Board to set emission levels.** (1) The board may establish the limitations of the levels, concentrations, or quantities of emissions of various pollutants from any source necessary to prevent, abate, or control air pollution. Except as otherwise provided in or pursuant to this section, ~~such these~~ levels, concentrations, or quantities ~~shall are be~~ controlling, and ~~no an~~ emission ~~in excess thereof shall be lawful~~ may not exceed the board-designated levels, concentrations, or quantities.

(2) In any area where the concentration of air pollution sources or of population or where the nature of the economy or of land and its uses ~~so~~ require, the board may fix more stringent requirements governing the emission of air pollutants than those in effect pursuant to subsection (1) of this section.

(3) The board may by rule use any widely recognized measuring system for measuring emission of air contaminants.

(4) Should federal minimum standards of air pollution be set by federal law, the board may, if necessary in some localities of this state, set more stringent standards by rule.

(5) Before January 1, 2010, the board shall adopt vehicle emission standards that meet the requirements of section 177 of the federal Clean Air Act, 42 U.S.C. 7507."

**NEW SECTION. Section 2. Effective date.** [This act] is effective on passage and approval.

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